

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADELPHIA RECOVERY TRUST,

Plaintiff,

v.

BANK OF AMERICA, *et al.*,

Defendants.

Case No.: 05 Civ. 9050 (LMM)

**JOINDER OF THE CS ASSIGNEES IN
MOTIONS TO DISMISS THE AMENDED COMPLAINT**

Defendants Credit Suisse International; Credit Suisse Loan Funding LLC; Credit Suisse, Cayman Branch (improperly sued as “Credit Suisse”)^{1/}; and Candlewood Capital Partners LLC (“the CS Assignees”)^{2/}, by and through their attorneys, Wilmer Cutler Pickering Hale and Dorr LLP, hereby join in: (1) the UCA/HHC Non-Agent Lenders’ Motion To Dismiss Counts 1, 2, 3, 4, 33, and 52 of Plaintiffs’ Amended Complaint; (2) the CCH Non-Agent Lenders’ Motion To Dismiss Counts 5, 6, 7, 8, 33, 41, and 50 of Plaintiffs’ Amended Complaint; and (3) the Olympus Non-Agent Lenders’ Motion To Dismiss Counts 9, 10, 11, 12, 33, 42, and 51 of Plaintiffs’ Amended Complaint, all dated December 21, 2007, and incorporate by reference the grounds for dismissal set forth therein.

In addition, the CS Assignees hereby join in and incorporate by reference the grounds for dismissal set forth in the Memorandum of Law in Support of Joint Motion of Various Lenders to

^{1/} This joinder by Credit Suisse, Cayman Branch is not intended to and does not waive any and all defenses, including without limitation service of process, that Credit Suisse may hold.

^{2/} These entities have been named in the Amended Complaint based on their alleged receipt of assignments of debt from other financial institutions with respect to one or more of the UCA/HHC, CCH, and Olympus credit facilities.

Dismiss the Avoidance and Subordination Claims, dated December 21, 2007, to the extent those grounds relate to counts 1-12, 33, 41-42, and 50-52 of the Amended Complaint.

Dated: New York, New York
December 21, 2007

WILMER CUTLER PICKERING HALE
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By: /s/ Philip D. Anker
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Suisse Loan Funding LLC; Credit Suisse, Cayman
Branch; and Candlewood Capital Partners LLC*

CERTIFICATE OF SERVICE

I, Theresa Titolo, hereby certify that on December 21, 2007, I caused a true and correct copy of the Joinder of the CS Assignees in Motions to Dismiss the Amended Complaint to be served upon all persons on the attached list by electronic mail.

Dated: December 21, 2007

/s/ Theresa Titolo
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